IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

WP(C).No. 21463 of 2006(E)

PETITIONER:

SUNIL GEORGE, S/O. O.K. GEORGE,
PROPRIETOR, M/S. JANATHA TRADING COMPANY,
VADAKKENCHERRY, PALAKKAD DISTRICT.

BY ADV. SRI.P.R.VENKETESH

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
COLLECTORATE, CIVIL STATION, PALAKKAD.

2. THE DISTRICT SUPPLY OFFICER,
PALAKKAD.

3. THE TALUK SUPPLY OFFICER,
TALUK SUPPLY OFFICE, ALATHUR.

4. DEPUTY TAHSILDAR (REVENUE RECOVERY)
ALATHUR.

BY ADV. SHRI.BASANT BALAJI, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 21463/2006

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE NOTICE DATED 09/03/2005 RECEIVED BY THE PETITIONER FROM THE 2ND RESPONDENT.

P2 : COPY OF THE REPLYD ATED 13/03/2005 SENT BY THE PETITIONER TO THE 2ND RESPONDENT.

P3 (a) : COPY OF THE PRICE FIXATION OF KEROSENE DATED 09/08/1997 ISSUED BY THE 3RD RESPONDENT.

P3 (b) : COPY OF THE PRICE FIXATION OF KEROSENE DATED 27/03/2000 ISSUED by the 3RD RESPONDENT.

P3 (c) : COPY OF THE PRICE FIXATION OF KEROSENE DATED 06/10/2000 ISSUED BY THE 3RD RESPONDENT.

P3 (d) : COPY OF THE PRICE FIXATION OF KEROSENE DATED 05/12/2000 ISSUED BY THE 3RD RESPONDENT.

P3 (e) : COPY OF THE PRICE FIXATION OF KEROSENE DATED 14/04/2001 ISSUED BY THE 3RD RESPONDENT.

P3 (f) : COPY OF THE PRICE FIXATION OF KEROSENE DATED 01/03/2002 ISSUED BY THE 3RD RESPONDENT.

P4 : COPY OF THE DEMAND NOTICE DATED 12/07/2006 ISSUED BY THE 4TH RESPONDENT.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 21463 of 2006

Dated, this the 30th day of May, 2007

J U D G M E N T

Heard the learned counsel for the petitioner and the learned Government Pleader.

2. Petitioner is challenging demand of Rs. 56,868/- being excess drawn towards transportation charges. According to the petitioner the distance claimed originally and payment made is correct. However, learned Government Pleader submitted that petitioner claimed excess payment for 24 kms. for every trip, which led to excess payment and to the present claim. Since the demand is for the years 1984 to 1992 and in view of the controversy, I feel petitioner can be granted adhock reduction and complete waiver of interest provided he clears reduced demand on or before 30/06/2007. This WP(C) is accordingly disposed of reducing the claim to Rs. 35,000/- and petitioner is granted time till 30/06/2007 to settle the above liability. If payment is made as above, respondent is directed to waive the balance claim.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg